

MONDAY, MAY 1, 2017

THIRTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Dale Walker, President, TN Pastors Network, Sparta, TN.

Representative Sherrell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 87

Representatives present were Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulse, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 87

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Powers; business

Representative Windle; active military duty

Representative Gravitt; illness

Representative Beck; personal

Representative Hazlewood; personal

COMMUNICATION

May 1, 2017

Department of the Army and the Air Force
Joint Force Headquarters, Tennessee National Guard
Houston Barraks, P.O. Box 41502
Nashville, Tennessee 37204-1502

ORDERS: 117-002

27 April 2017

John M. Windle
P.O. Box 41502
Nashville, TN 37204

LTC TNARNG ELEMENT JF HQS

By order of the Secretary of the Army, you are hereby ordered to active duty for the training (ADT) for the period indicated. Upon completion of the period of ADT, unless sooner relieved or extended by proper authority, you will return to the place where you entered on ADT and are relieved from such duty.

REPORT TO: Grafenwoehr, Germany

REPORTING DATE: 1 May 2017

PERIOD OF ACTIVE DUTY: 30 April 2017 - 19 May 2017

PURPOSE: 7A JMTC Trial Defense Services

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 113 Rep. Gilmore as prime sponsor.

House Joint Resolution No. 466 Rep. Gilmore as prime sponsor.

House Joint Resolution No. 468 Rep. Carr as prime sponsor.

House Joint Resolution No. 475 Rep. Pody as prime sponsor.

House Joint Resolution No. 476 Rep. Pody as prime sponsor.

House Bill No. 11 Reps. Ragan, Moody, Gant, Faison, Butt and Williams as prime sponsors.

House Bill No. 174 Reps. Hardaway, Moody, Goins, Kumar and Ragan as prime sponsors.

House Bill No. 241 Reps. Clemmons and Gilmore as prime sponsors.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Bill No. 456 Reps. Ragan, Daniel, Goins, Hulsey, Van Huss, Jernigan, Lamberth, Curcio, Byrd, Moody, M. White and Kumar as prime sponsors.

House Bill No. 468 Rep. Ragan as prime sponsor.

House Bill No. 538 Reps. H. Brooks, M. White, DeBerry, Dunn, Williams, Moody, Kane, Coley, Ragan, Rogers, Daniel, Terry and Powers as prime sponsors.

House Bill No. 679 Rep. Hardaway as prime sponsor.

House Bill No. 952 Reps. Terry, Towns and Ragan as prime sponsors.

House Bill No. 975 Rep. Keisling as prime sponsor.

House Bill No. 979 Reps. Moody, Terry, H. Brooks and M. White as prime sponsors.

House Bill No. 995 Reps. Moody and Ragan as prime sponsors.

House Bill No. 1164 Reps. Marsh and Faison as prime sponsors.

House Bill No. 1296 Reps. Akbari and Camper as prime sponsors.

MESSAGE FROM THE SENATE

April 28, 2017

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359 and 360; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE GOVERNOR

April 28, 2017

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 18, 58, 376, 396, 646, 906 and 922; also House Joint Resolutions Nos. 100, 288, 289, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341 and 343; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**REPORT OF CHIEF ENGROSSING CLERK
April 28, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359 and 360; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
May 1, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377 and 378; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 367 -- Memorials, Recognition - Somali Heritage Month. by *Yarbro.

Senate Joint Resolution No. 368 -- Memorials, Interns - Kendall Ray. by *Tracy.

Senate Joint Resolution No. 369 -- Memorials, Interns - Maranda Kaufman. by *Harris.

Senate Joint Resolution No. 370 -- Memorials, Interns - Thomas Wiegand. by *McNally.

Senate Joint Resolution No. 371 -- Memorials, Recognition - Division of Property Assessments, 50th anniversary. by *Johnson, *Southerland.

Senate Joint Resolution No. 372 -- Memorials, Heroism - Harold Hogue. by *Johnson.

Senate Joint Resolution No. 373 -- Memorials, Recognition - Greeneville Town Hall, 50th anniversary. by *Southerland.

Senate Joint Resolution No. 374 -- Memorials, Recognition - Travis France, Tennessee Colleges of Applied Technology Outstanding Student of the Year. by *Southerland.

Senate Joint Resolution No. 375 -- Memorials, Personal Occasion - Virgie Gray, 100th birthday. by *Southerland.

Senate Joint Resolution No. 376 -- Memorials, Professional Achievement - The Greeneville Sun. by *Southerland.

Senate Joint Resolution No. 377 -- Memorials, Interns - Urias Christopher "Irish" Furbush. by *Southerland.

Senate Joint Resolution No. 378 -- Memorials, Death - James Dewey Daane. by *Yarbro, *Dickerson.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for May 3, 2017:

House Resolution No. 118 -- Memorials, Sports - Hermitage Springs Junior High School boys' basketball team, TNT State Champions. by *Keisling.

House Resolution No. 119 -- Memorials, Academic Achievement - Kayla Tolbert, Salutatorian, Ridgeway High School. by *Turner.

House Resolution No. 120 -- Memorials, Academic Achievement - Charles Tomas Clarin Washington, Valedictorian, Ridgeway High School. by *Turner.

House Joint Resolution No. 484 -- Memorials, Heroism - Firefighters D.J. Cochran, Kevin Pippens, David Frazier and Bo Merritt and Park City/Park Ridge Fire Station #4. by *Staples.

House Joint Resolution No. 485 -- Memorials, Death - Franklin Burns. by *Byrd, *Butt, *Doss.

House Joint Resolution No. 487 -- Memorials, Academic Achievement - MaKayla Alexis Henley, Salutatorian, Hampshire Unit School. by *Butt.

House Joint Resolution No. 488 -- Memorials, Academic Achievement - Benjamin Walter Zolkiewicz, Valedictorian, Hampshire Unit School. by *Butt.

House Joint Resolution No. 489 -- Memorials, Retirement - Dale Sims. by *McCormick.

House Joint Resolution No. 490 -- Memorials, Recognition - MCA, 30th anniversary. by *McCormick.

House Joint Resolution No. 491 -- Memorials, Retirement - Command Sergeant Major Dennis Floden. by *Pitts.

House Joint Resolution No. 492 -- Memorials, Retirement - Chief Warrant Officer Ed Coleman. by *Pitts.

House Joint Resolution No. 493 -- Memorials, Retirement - First Sergeant Mitchell Ketchens. by *Pitts.

House Joint Resolution No. 494 -- Memorials, Retirement - First Sergeant James R. Lewis. by *Pitts.

House Joint Resolution No. 495 -- Memorials, Academic Achievement - Kayla Renae Wood, Valedictorian, Maryville Christian School. by *Ramsey.

House Joint Resolution No. 496 -- Memorials, Academic Achievement - Leslie Suzanna Coppedge, Salutatorian, Maryville Christian School. by *Ramsey.

House Joint Resolution No. 497 -- Memorials, Recognition - Cedric Deprice Williams, Jr., Intern Governor 2017. by *Parkinson.

House Joint Resolution No. 498 -- Memorials, Academic Achievement - Jatoya Ward, Salutatorian, Douglass High School. by *Parkinson.

House Joint Resolution No. 499 -- Memorials, Academic Achievement - Jazzmun Norman, Salutatorian, Douglass High School. by *Parkinson.

House Joint Resolution No. 500 -- Memorials, Academic Achievement - Karla Sanchez, Valedictorian, Douglass High School. by *Parkinson.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for May 3, 2017:

Senate Joint Resolution No. 367 -- Memorials, Recognition - Somali Heritage Month. by *Yarbro.

Senate Joint Resolution No. 368 -- Memorials, Interns - Kendall Ray. by *Tracy.

Senate Joint Resolution No. 369 -- Memorials, Interns - Maranda Kaufman. by *Harris.

Senate Joint Resolution No. 370 -- Memorials, Interns - Thomas Wiegand. by *McNally.

Senate Joint Resolution No. 371 -- Memorials, Recognition - Division of Property Assessments, 50th anniversary. by *Johnson, *Southerland.

Senate Joint Resolution No. 372 -- Memorials, Heroism - Harold Hogue. by *Johnson.

Senate Joint Resolution No. 373 -- Memorials, Recognition - Greeneville Town Hall, 50th anniversary. by *Southerland.

Senate Joint Resolution No. 374 -- Memorials, Recognition - Travis France, Tennessee Colleges of Applied Technology Outstanding Student of the Year. by *Southerland.

Senate Joint Resolution No. 375 -- Memorials, Personal Occasion - Virgie Gray, 100th birthday. by *Southerland.

Senate Joint Resolution No. 376 -- Memorials, Professional Achievement - The Greeneville Sun. by *Southerland.

Senate Joint Resolution No. 377 -- Memorials, Interns - Urias Christopher "Irish" Furbush. by *Southerland.

Senate Joint Resolution No. 378 -- Memorials, Death - James Dewey Daane. by *Yarbro, *Dickerson.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 802** -- Fines and Penalties - As introduced, requires the clerk of court to notify the commissioner of safety for purposes of license revocation within 20 days, rather than 30 days, of an offender failing to pay litigation taxes, court costs, and fines. - Amends TCA Title 40, Chapter 24. by *Dickerson, *Yarbro. (HB1173 by *Faison, *Daniel, *Carter, *Sparks, *Beck, *Butt, *Jernigan, *Brooks H)

Senate Bill No. 954 -- Criminal Offenses - As introduced, creates the Class C misdemeanor of driving a motor vehicle and talking on a hand-held mobile telephone; creates the juvenile act of persons under 18 driving a motor vehicle and using a hands-free device to talk on a mobile telephone or transmit or read written messages; provides affirmative defense for emergencies, and exception for persons 18 and older using hands-free device. - Amends TCA Title 55, Chapter 8. by *Tracy, *Jackson. (*HB868 by *Holsclaw)

**REPORT OF DELAYED BILLS COMMITTEE
May 1, 2017**

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bills to be introduced: House Joint Resolution No. 419 and Senate Joint Resolutions Nos. 141, 182, 250 and 293.

Beth Harwell, Speaker
Glen Casada
Craig Fitzhugh

CONSENT CALENDAR

House Bill No. 205 -- Sunset Laws - As introduced, extends the department of safety to June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3. by *Faison, *Hardaway.

On motion, House Bill No. 205 was made to conform with **Senate Bill No. 73**; the Senate Bill was substituted for the House Bill.

House Bill No. 208 -- Sunset Laws - As introduced, extends the private probation services council two years to June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2 and Title 16, Chapter 3, Part 9. by *Faison, *Hardaway.

On motion, House Bill No. 208 was made to conform with **Senate Bill No. 83**; the Senate Bill was substituted for the House Bill.

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House Bill No. 217 -- Sunset Laws - As introduced, extends the alcoholic beverage commission to June 30, 2021; requires the commission to return to the government operations committee to respond to targeted questions by December 31, 2017. - Amends TCA Title 4, Chapter 29, Part 2 and Title 57, Chapter 1. by *Faison.

On motion, House Bill No. 217 was made to conform with **Senate Bill No. 55**; the Senate Bill was substituted for the House Bill.

House Bill No. 218 -- Sunset Laws - As introduced, extends the second look commission four years to June 30, 2021. - Amends TCA Title 4, Chapter 29, Part 2 and Title 37, Chapter 3, Part 8. by *Faison, *Hardaway.

On motion, House Bill No. 218 was made to conform with **Senate Bill No. 84**; the Senate Bill was substituted for the House Bill.

House Bill No. 224 -- Sunset Laws - As introduced, extends the department of children's services to June 30, 2021; requires the department to report back to the government operations committee on the department's response to the findings in the performance audit report by December 31, 2017. - Amends TCA Title 4, Chapter 29, Part 2; Title 4, Chapter 3, Part 1 and Title 37, Chapter 5. by *Faison, *Hardaway.

House Bill No. 233 -- Sunset Laws - As introduced, extends the department of economic and community development four years to June 30, 2021; requires the department to report back to the government operations committee on the department's response to the findings in the performance audit report by December 31, 2017. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3. by *Faison.

On motion, House Bill No. 233 was made to conform with **Senate Bill No. 69**; the Senate Bill was substituted for the House Bill.

House Bill No. 239 -- Sunset Laws - As introduced, extends the Tennessee council for career and technical education four years to June 30, 2021. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 11. by *Faison.

On motion, House Bill No. 239 was made to conform with **Senate Bill No. 102**; the Senate Bill was substituted for the House Bill.

House Bill No. 240 -- Sunset Laws - As introduced, extends the state textbook and instructional materials quality commission to June 30, 2019; requires the commission to appear before sunset review committee in 2017 to address issue of non-educators serving on textbook advisory committees. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 6, Part 22. by *Faison.

On motion, House Bill No. 240 was made to conform with **Senate Bill No. 92**; the Senate Bill was substituted for the House Bill.

House Bill No. 241 -- Sunset Laws - As introduced, extends the human rights commission to June 30, 2021; requires the division of state audit to perform a limited question and answer review to address findings in the commission's 2016 performance audit report. - Amends TCA Title 4, Chapter 21 and Title 4, Chapter 29, Part 2. by *Faison, *Hardaway.

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On motion, House Bill No. 241 was made to conform with **Senate Bill No. 77**; the Senate Bill was substituted for the House Bill.

House Bill No. 246 -- Sunset Laws - As introduced, extends the board of podiatric medical examiners four years to June 30, 2021. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 3. by *Faison.

On motion, House Bill No. 246 was made to conform with **Senate Bill No. 62**; the Senate Bill was substituted for the House Bill.

House Bill No. 677 -- Sunset Laws - As introduced, deletes provisions in current law regarding the Tennessee economic council on women, which ceased to exist June 30, 2016. - Amends TCA Title 4; Section 38-6-114; Section 50-2-207 and Section 68-1-1803. by *Faison.

On motion, House Bill No. 677 was made to conform with **Senate Bill No. 241**; the Senate Bill was substituted for the House Bill.

House Bill No. 1436 -- Dickson - Subject to local approval, abolishes the municipal court. - Amends Chapter 274 of the Private Acts of 1924; as amended and rewritten. by *Littleton.

House Bill No. 1424 -- Dickson County - Subject to local approval, abolishes the County Highway Commission and office of the County Highway Engineer. - Amends Chapter 53 of the Private Acts of 1985; as amended. by *Curcio.

House Bill No. 1426 -- Greene County - Subject to local approval, creates two divisions within the general sessions court in Greene County; establishes the office of a second judge to preside over the second division. - Amends Chapter 170 of the Private Acts of 1955. by *Hawk, *Faison.

House Bill No. 1452 -- Troy - Subject to local approval, decreases the number of required monthly meeting times of the board of mayor and aldermen from two to one. - Amends Chapter 50 of the Private Acts of 1979. by *Sanderson.

House Bill No. 1443 -- Rutherford County - Subject to local approval, creates new county purchasing act. - Amends Chapter 421 of the Private Acts of 1943; as amended. by *White D.

House Bill No. 444 -- Education - As introduced, revises requirements in state law where an SAT score is explicitly stated to account for the change in scoring on the revised SAT exams. - Amends TCA Section 49-2-702 and Title 49, Chapter 4, Part 9. by *Gant.

On motion, House Bill No. 444 was made to conform with **Senate Bill No. 394**; the Senate Bill was substituted for the House Bill.

House Bill No. 1445 -- Williamson County - Subject to local approval, grants the judge of the juvenile court the power to appoint, retain, reappoint, and supervise judicial commissioners; authorizes the juvenile judge to appoint and supervise a temporary or part-time judicial commissioner, subject to county legislative body appropriations for personnel. - Amends Chapter 56 of the Private Acts of 2012. by *Sargent.

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House Bill No. 1446 -- Williamson County - Subject to local approval, repeals tax levy on property located in unincorporated areas of county, the proceeds of which are used for road purposes, as part of a reallocation of funds to be appropriated for such purposes. - Amends Chapter 373 of the Private Acts of 1937; as amended. by *Sargent.

House Bill No. 1434 -- Manchester - Subject to local approval, rewrites the city charter. - Amends Chapter 65 of the Private Acts of 1905. by *Matheny.

***Senate Joint Resolution No. 91** -- General Assembly, Statement of Intent or Position - Commends Taiwan. by *Bell.

House Resolution No. 113 -- Memorials, Sports - Vanderbilt University women's tennis team, 2017 SEC Champions. by *Clemmons.

House Resolution No. 114 -- Memorials, Academic Achievement - Braden Martin, Salutatorian, Hillwood High School. by *Clemmons.

House Resolution No. 115 -- Memorials, Academic Achievement - Alexandra David, Valedictorian, Hillwood High School. by *Clemmons.

House Resolution No. 116 -- Memorials, Recognition - Mallory Hobson, Senior Class President, Hillwood High School. by *Clemmons.

House Resolution No. 117 -- Memorials, Interns - Mason E. Moore. by *Cooper.

House Joint Resolution No. 466 -- Memorials, Death - Henry Hooker. by *Clemmons.

House Joint Resolution No. 467 -- Memorials, Recognition - Lexington Lions Club, 70th anniversary. by *McDaniel.

House Joint Resolution No. 468 -- Memorials, Recognition - Steve Trout, Tennessee Grocers & Convenience Store Association's 2017 Retailer of the Year. by *Farmer.

House Joint Resolution No. 469 -- Memorials, Recognition - Nashville Bar Association, Law Day 2017. by *Lamberth.

House Joint Resolution No. 470 -- Memorials, Recognition - Exchange Club of Jackson's Flags of Freedom Project, 10th anniversary. by *Eldridge.

House Joint Resolution No. 471 -- Memorials, Heroism - Griffin Barry. by *Powell.

House Joint Resolution No. 472 -- Memorials, Heroism - Park City/Park Ridge Fire Station #4 and Firefighters Eric "Bo" Merritt, Kevin Tippens, and Buddy Gibson. by *Staples.

House Joint Resolution No. 473 -- Memorials, Academic Achievement - Ellie Christina Gantenbein, Salutatorian, Smith County High School. by *Weaver.

House Joint Resolution No. 474 -- Memorials, Academic Achievement - Madison Caroline Spivey, Valedictorian, Smith County High School. by *Weaver.

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House Joint Resolution No. 475 -- Memorials, Academic Achievement - Rachel Olivia Fuson, Valedictorian, DeKalb County High School. by *Weaver.

House Joint Resolution No. 476 -- Memorials, Academic Achievement - Jacob Hunter Robinson, Salutatorian, DeKalb County High School. by *Weaver.

House Joint Resolution No. 477 -- Memorials, Academic Achievement - Cheyenne Nichole Martin, Valedictorian, Santa Fe Unit School. by *Butt.

House Joint Resolution No. 478 -- Memorials, Academic Achievement - Kallie Alana Faulkner, Salutatorian, Santa Fe Unit School. by *Butt.

House Joint Resolution No. 479 -- Memorials, Academic Achievement - Camille French, Valedictorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 480 -- Memorials, Academic Achievement - Seth Scruggs, Salutatorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 481 -- Memorials, Academic Achievement - Kendell DeeAnna Hardison, Valedictorian, Columbia Academy. by *Butt.

House Joint Resolution No. 482 -- Memorials, Academic Achievement - Alec Jameson Wright, Salutatorian, Columbia Academy. by *Butt.

House Joint Resolution No. 483 -- Memorials, Interns - Holton G. Bowling. by *Marsh, *Swann.

Senate Joint Resolution No. 343 -- Memorials, Interns - Kiley Hoppe. by *Overbey, *Kyle.

Senate Joint Resolution No. 358 -- Memorials, Congratulations - Senator Mark Green. by *McNally, *Kelsey, *Southerland, *Briggs, *Crowe, *Jackson, *Gresham, *Lundberg, *Bailey, *Beavers, *Bell, *Bowling, *Dickerson, *Gardenhire, *Haile, *Harper, *Hensley, *Johnson, *Ketron, *Massey, *Niceley, *Norris, *Overbey, *Roberts, *Stevens, *Tate, *Tracy, *Watson, *Yager.

Senate Joint Resolution No. 359 -- Memorials, Academic Achievement - Kayla Pennycuff, Valedictorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 360 -- Memorials, Death - Hale Moss. by *Beavers, *Bailey.

Senate Joint Resolution No. 361 -- Memorials, Academic Achievement - Ryan Sheehy, Salutatorian, Mt. Juliet High School. by *Beavers.

Senate Joint Resolution No. 362 -- Memorials, Academic Achievement - Woojin Choi, Valedictorian, Mt. Juliet High School. by *Beavers.

Senate Joint Resolution No. 363 -- Memorials, Interns - Taylor Flanagan. by *Beavers.

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Senate Joint Resolution No. 364 -- Memorials, Academic Achievement - Ashlyn Danielle Ellis, Salutatorian, Cannon County High School. by *Beavers.

Senate Joint Resolution No. 365 -- Memorials, Academic Achievement - Raquel N. Novoa, Valedictorian, Cannon County High School. by *Beavers.

Senate Joint Resolution No. 366 -- Memorials, Recognition - Senator Mike Bell, State Legislator of the Year for the United States. by *Bowling, *Southerland, *Bailey, *Beavers, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Gresham, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Lundberg, *Massey, *Niceley, *Norris, *Overbey, *Roberts, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro, *McNally.

OBJECTION--CONSENT CALENDAR

Objections were filed to the following on the Consent Calendar:

House Bill No. 224: by Rep. Faison

House Joint Resolution No. 472: by Rep. Staples

Under the rules, House Bill No. 224 and House Joint Resolution No. 472 were placed at the heel of the calendar for May 3, 2017.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	73
Noes.....	0
Present and not voting.....	5

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Forgety, Gant, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 73

Representatives present and not voting were: Camper, Casada, Mitchell, Sparks, Thompson -- 5

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **Consent Calendar** and have this statement entered in the Journal: Rep. Casada.

REGULAR CALENDAR

House Bill No. 647 -- Hospitals and Health Care Facilities - As introduced, enacts the "Annual Coverage Assessment Act of 2017." - Amends TCA Title 71, Chapter 5 and Chapter 854 of the Public Acts of 2016. by *McDaniel. (*SB214 by *Overbey)

Rep. McDaniel moved that House Bill No. 647 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 647 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, is amended by adding the following as a new part:

71-5-1501. This part shall be known and may be cited as the "Annual Coverage Assessment Act of 2017".

71-5-1502.

As used in this part, unless the context otherwise requires:

(1) "Annual coverage assessment" means the annual assessment imposed on covered hospitals as set forth in this part;

(2) "Annual coverage assessment base" is a covered hospital's net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2008, on file with CMS as of September 30, 2009, subject to the following qualifications:

(A) If a covered hospital does not have a full twelve-month medicare cost report for 2008 on file with CMS but has a full twelve-month cost report for a subsequent year, the first full twelve-month medicare cost report for a year following 2008 on file with CMS shall be the annual coverage assessment base;

(B) If a covered hospital was first licensed in 2014 or later and did not replace an existing hospital, and if the hospital has a medicare cost report on file with CMS, the hospital's initial cost

report on file with CMS shall be the base for the hospital assessment. If the hospital does not have an initial cost report on file with CMS but does have a complete twelve-month joint annual report filed with the department of health, the net patient revenue from the twelve-month joint annual report shall be the annual coverage assessment base. If the hospital does not have a medicare cost report or a full twelve-month joint annual report filed with the department of health, the annual coverage assessment base is the covered hospital's projected net patient revenue for its first full year of operation as shown in its certificate of need application filed with the health services and development agency;

(C) If a covered hospital was first licensed in 2014 or later and replaced an existing hospital, the annual coverage assessment base shall be the hospital's initial medicare cost report on file with CMS. If the hospital does not have a medicare cost report on file with CMS, such hospital's annual coverage assessment base shall be either the predecessor hospital's net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2008, or, if the predecessor hospital does not have a 2008 medicare cost report, the cost report for the first fiscal year following 2008 on file with CMS;

(D) If a covered hospital is not required to file an annual medicare cost report with CMS, then the hospital's annual coverage assessment base shall be its net patient revenue for the fiscal year ending during calendar year 2008 or the first fiscal year that the hospital was in operation after 2008 as shown in the covered hospital's joint annual report filed with the department of health; and

(E) If a covered hospital's fiscal year 2008 medicare cost report is not contained in any of the CMS healthcare cost report information system files and if the hospital does not meet any of the other qualifications listed in subdivisions (2)(A)-(D), then the hospital shall submit a copy of the hospital's 2008 medicare cost report to the bureau in order to allow for the determination of the hospital's net patient revenue for the state fiscal year 2017-2018 annual coverage assessment;

(3) "Bureau" means the bureau of TennCare;

(4) "CMS" means the federal centers for medicare and medicaid services;

(5) "Controlling person" means a person who, by ownership, contract, or otherwise, has the authority to control the business operations of a covered hospital. Indirect or direct ownership of ten percent (10%) or more of a covered hospital shall constitute control;

(6) "Covered hospital" means a hospital licensed under title 33 or title 68, as of July 1, 2017, except an excluded hospital;

(7) "Excluded hospital" means:

(A) A hospital that has been designated by CMS as a critical access hospital;

(B) A mental health hospital owned by this state;

(C) A hospital providing primarily rehabilitative or long-term acute care services;

(D) A children's research hospital that does not charge patients for services beyond that reimbursed by third-party payers; and

(E) A hospital that is determined by the bureau as eligible to certify public expenditures for the purpose of securing federal medical assistance percentage payments;

(8) "Medicare cost report" means CMS-2552-96, the cost report for electronic filing of hospitals, for the period applicable as set forth in this section; and

(9) "Net patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported on Worksheet G-3, Column 1, Line 3, of the 2008 medicare cost report excluding long-term care inpatient ancillary revenues, or, in the case of a hospital that did not file a 2008 medicare cost report, comparable data from the first complete cost report filed after 2008 by such hospital.

71-5-1503.

(a) There is imposed on each covered hospital licensed as of July 1, 2017, an annual coverage assessment for fiscal year (FY) 2017-2018 as set forth in this part.

(b) The annual coverage assessment imposed by this part shall not be effective and validly imposed until the bureau has provided the Tennessee Hospital Association with written notice that includes:

(1) A determination from CMS that the annual coverage assessment is a permissible source of revenue that shall not adversely affect the amount of federal financial participation in the TennCare program;

(2) Either:

(A) Approval from CMS for the distribution of the full amount of directed payments to hospitals to offset unreimbursed TennCare costs as defined in § 71-5-1505(d)(2), provided that no assessment installment shall be collected prior to the distribution of the installment of such directed payments;

(B) Approval from CMS for the distribution of the full amount of funds for uncompensated hospital costs set forth in the extension of the section 1115 demonstration project effective December 16, 2016, provided that the bureau shall prioritize the distribution of funds in the same manner as set forth in § 71-5-1504(i)(2)(A)(ii); or

(C) The rules proposed by the bureau pursuant to § 71-5-1504(i)(2); and

(3) Confirmation that all contracts between hospitals and managed care organizations comply with the hospital rate variation corridors set forth in § 71-5-161.

(c) The general assembly intends that the proceeds of the annual coverage assessment not be used as a justification to reduce or eliminate state funding to the TennCare program. The annual coverage assessment shall not be effective and validly imposed if the coverage or the amount of revenue available for expenditure by the TennCare program in FY 2017-2018 is less than:

(1) The governor's FY 2017-2018 recommended budget level; plus

(2) Additional appropriations made by the general assembly to the TennCare program for FY 2017-2018, except to the extent new federal funding is available to replace funds that are appropriated as described in subdivision (c)(1) and that are above the amount that the state receives from CMS under the regular federal matching assistance percentage.

(d)

(1)

(A) The general assembly intends that the proceeds of the annual coverage assessment not be used as justification for any TennCare managed care organization to implement across-the-board rate reductions to negotiated rates with covered or excluded hospitals or physicians in existence on July 1, 2017. For those rates in effect on July 1, 2017, the bureau shall include provisions in the managed care organizations' contractor risk agreements that prohibit the managed care organizations from implementing across-the-board rate reductions to covered or excluded network hospitals or physicians either by category or by type of provider.

The requirements of the preceding sentence shall also apply to services or settings of care that are ancillary to the primary license of a covered or excluded hospital or physician, but shall not apply to reductions in benefits or reimbursement for such ancillary services if the reductions:

(i) Are different from those items being restored in § 71-5- 1505(d); and

(ii) Have been communicated in advance of implementation to the general assembly and the Tennessee Hospital Association.

(B)

(i) For purposes of this subsection (d), services or settings of care that are ancillary to the primary license of a covered or excluded hospital or physician shall include all services where the physician or covered or excluded hospital, including a wholly owned subsidiary or controlled affiliate of a covered or excluded hospital or hospital system, holds more than a fifty percent (50%) controlling interest in such ancillary services or settings of care, but shall not include any other ancillary services or settings of care. For across-the-board rate reductions to ancillary services or settings of care, the bureau shall include appropriate requirements for notice to providers in the managed care organizations' contractor risk agreements.

(ii) For purposes of this subsection (d), services or settings of care that are "ancillary" shall mean, but not be limited to, ambulatory surgical facilities, free standing emergency departments, outpatient treatment clinics or imaging centers, dialysis centers, home health and related services, home infusion therapy services, outpatient rehabilitation, or skilled nursing services.

(iii) For purposes of this subsection (d), "physician" includes a physician licensed under title 63, chapter 6 or chapter 9, and a group practice of physicians that hold a contract with a managed care organization.

(2) This subsection (d) does not preclude good faith negotiations between managed care organizations and covered or excluded hospitals, hospital systems, and physicians on an individualized, case-by-case basis, nor is this subsection (d) intended by the general assembly to serve as justification for managed care organizations in this state, covered or excluded hospitals, hospital systems, or physicians to unreasonably deny any party the ability to enter into such individualized, case-by-case good faith negotiations. Such good faith negotiation

necessarily implies mutual cooperation between the negotiating parties and may include, but is not limited to, the right to terminate contractual agreements, the ability to modify negotiated rates, pricing, or units of service, the ability to alter payment methodologies, and the ability to enforce existing managed care techniques or to implement new managed care techniques.

(3) This subsection (d) shall not preclude the full implementation of the requirements set forth in § 71-5-161.

(4) Notwithstanding this subsection (d), if CMS mandates a TennCare program change or a change is required by state or federal law that impacts rates, and that change is required to be implemented by the managed care organizations in accordance with their contracts, or if the annual coverage assessment becomes invalid, then nothing in this part shall prohibit the managed care organizations from implementing any rate changes as may be mandated by the bureau or by state or federal law.

71-5-1504.

(a) The annual coverage assessment established for this part shall be four and fifty-two hundredths percent (4.52%) of a covered hospital's annual coverage assessment base.

(b) The annual coverage assessment shall be paid in installments pursuant to this subsection (b) if the requirements of § 71-5-1503(b) have been satisfied. The bureau shall establish a schedule of four (4) equal installment payments spread evenly throughout FY 2017-2018 with the first installment payment due either fifteen (15) days after the directed payments approved by CMS to offset unreimbursed TennCare costs have been made to hospitals, or if CMS does not approve directed payments to hospitals to offset unreimbursed TennCare costs, then fifteen (15) days after the first payment to hospitals under § 71-11-1505(d)(3).

(c) To facilitate collection of the annual coverage assessment, the bureau shall send each covered hospital, at least thirty (30) days in advance of each installment payment due date, a notice of payment along with a return form developed by the bureau. Failure of a covered hospital to receive a notice and return form, however, shall not relieve a covered hospital from the obligation of timely payment. The bureau shall also post the return form on its website.

(d) Failure of a covered hospital to pay an installment of the annual coverage assessment, when due, shall result in an imposition of a penalty of five hundred dollars (\$500) per day until such installment is paid in full. The bureau at its discretion may waive the penalty in the event the hospital establishes that it mailed or electronically transferred payment to the state on or before the date the payment was due.

(e) If a covered hospital ceases to operate after July 1, 2017, and before July 1, 2018, the hospital's total annual coverage assessment shall be equal to

its annual coverage assessment base multiplied by a fraction, the denominator of which is the number of calendar days from July 1, 2017, until July 1, 2018, and the numerator of which is the number of days from July 1, 2017, until the date the board for licensing healthcare facilities has recorded as the date that the hospital ceased operation.

(f) If a covered hospital ceases operation prior to payment of its full annual coverage assessment, then the person or persons controlling the hospital as of the date the hospital ceased operation shall be jointly and severally responsible for any remaining annual coverage assessment installments and unpaid penalties associated with previous late payments.

(g) If a covered hospital fails to pay an installment of the annual coverage assessment within thirty (30) days of its due date, the bureau shall suspend the payments to the hospital as required by § 71-5-1505(d)(2) or (3) until the installment is paid and report such failure to the department that licenses the covered hospital. Notwithstanding any other law, failure of a covered hospital to pay an installment of the annual coverage assessment or any refund required by this part shall be considered a license deficiency and grounds for disciplinary action as set forth in the statutes and rules under which the covered hospital is licensed.

(h) In addition to the action required by subsection (g), the bureau is authorized to file a civil action against a covered hospital and its controlling person or persons to collect delinquent annual coverage assessment installments, late penalties, and refund obligations established by this part. Exclusive jurisdiction and venue for a civil action authorized by this subsection (h) shall be in the chancery court for Davidson County.

(i)

(1) If any federal agency with jurisdiction over this annual coverage assessment determines that the annual coverage assessment is not a valid source of revenue or if there is a reduction of the coverage and funding of the TennCare program contrary to § 71-5-1503(c), or if the requirements of §§ 71-5- 161 and 71-5-1503(b) are not fully satisfied, or if one (1) or more managed care organizations impose rate reductions contrary to § 71-5-1503(d), then:

(A) No subsequent installments of the annual coverage assessment shall be due and payable; and

(B) No further payments shall be paid to hospitals pursuant to § 71-5-1505(d)(2) or (3) after the date of such event.

(2)

(A) Notwithstanding this part, if CMS discontinues approval of or otherwise fails to approve the full amount of directed payments or unreimbursed hospital cost pool payments

to hospitals to offset losses incurred from providing services to TennCare enrollees as authorized under § 71-5-1505(d), then the bureau shall suspend any payments from or to covered hospitals otherwise required by this part and shall promulgate rules that:

(i) Establish the methodology for determining the amounts, categories, and times of payments to hospitals, if any, instead of the payments that otherwise would have been paid under § 71-5-1505(d)(3) if approved by CMS;

(ii) Prioritize payments to hospitals as set forth in § 71-5-1505(d)(3);

(iii) Identify the benefits and services for which funds will be available in order to mitigate reductions or eliminations that otherwise would be imposed in the absence of the coverage assessment;

(iv) Determine the amount and timing of payments for benefits and services identified under subdivisions (i)(2)(A)(ii) and (iii) as appropriate;

(v) Reinstitute payments from or to covered hospitals as appropriate; and

(vi) Otherwise achieve the goals of this subdivision (i)(2).

(B) The rules adopted under this subdivision (i)(2) shall, to the extent possible, achieve the goals of:

(i) Maximizing the amount of federal matching funds available for the TennCare program; and

(ii) Minimizing the variation between payments hospitals will receive under the rules as compared to payments hospitals would have received if CMS had approved the total payments described in § 71-5-1505(d).

(C) Notwithstanding any other law, the bureau is authorized to exercise emergency rulemaking authority to the extent necessary to meet the objectives of this subdivision (i)(2).

(3) Upon occurrence of any of the events set forth in subdivision (i)(1) or (i)(2), the bureau shall then have authority to make necessary changes to the TennCare budget to account for the loss of annual coverage assessment revenue.

(j) A covered hospital or an association representing covered hospitals, the membership of which includes thirty (30) or more covered hospitals, shall have the right to file a petition for declaratory order pursuant to § 4-5-223 to determine if there has been a failure to meet any of the requirements of this part. A covered hospital may not increase charges or add a surcharge based on, or as a result of, the annual coverage assessment.

(k) Notwithstanding this part, if the bureau receives notification from CMS of the determination and approval set forth in § 71-5-1503(b), and if the determination and approval have retroactive effective dates, then:

(1) Annual coverage assessment payments that become due by application of the retroactive determination date from CMS shall be paid to the bureau within thirty (30) days from the date of the bureau notifying the Tennessee Hospital Association that CMS has issued the determination, subject to the provisions of this act requiring that certain payments to hospitals be made prior to payment of assessments; and

(2) Payments to covered hospitals required by § 71-5-1505(d) that become due by application of the retroactive approval date from CMS shall be paid within fifteen (15) days of the bureau notifying the Tennessee Hospital Association that CMS has issued such approval.

71-5-1505.

(a) The funds generated as a result of this part shall be deposited in the maintenance of coverage trust fund created by § 71-5-160, the existence of which is continued as provided in subsection (b). The fund shall not be used to replace any monies otherwise appropriated to the TennCare program by the general assembly or to replace any monies appropriated outside of the TennCare program.

(b) The maintenance of coverage trust fund shall continue without interruption and shall be operated in accordance with § 71-5-160 and this section.

(c) The maintenance of coverage trust fund shall consist of:

(1) The balance of the trust fund remaining as of June 30, 2017;

(2) All annual coverage assessments received by the bureau;

(3) Investment earnings credited to the assets of the maintenance of coverage trust fund; and

(4) Penalties paid by covered hospitals for late payment of assessment installments as described in § 71-5-1504(d).

(d) Monies credited or deposited to the maintenance of coverage trust fund, together with all federal matching funds, shall be available to and used by the bureau only for expenditures in the TennCare program and shall include the following purposes:

(1) Expenditure for benefits and services under the TennCare program that would have been subject to reduction or elimination from TennCare funding for FY 2017-2018, except for the availability of one-time funding for that year only, as follows:

(A) Replacement of across-the-board reductions in covered and excluded hospital and professional reimbursement rates described in the governor's recommended budgets since FY 2011;

(B) Maintenance of essential access hospital payments to the maximum allowed by CMS under the TennCare waiver of at least one hundred million dollars (\$100,000,000);

(C) Maintenance of disproportionate share hospital payments to the maximum allowed by CMS under the TennCare waiver of at least eighty-one million six hundred thousand dollars (\$81,600,000);

(D) Maintenance of payments to critical access hospitals to achieve reimbursement of full cost of benefits provided to TennCare enrollees up to ten million dollars (\$10,000,000);

(E) Maintenance of payments for graduate medical education of at least fifty million dollars (\$50,000,000);

(F) Maintenance of reimbursement for medicare part A crossover claims at the lesser of one hundred percent (100%) of medicare allowable or the billed amount;

(G) Avoidance of any coverage limitations relative to the number of hospital inpatient days per year annual cost of inpatient services for a TennCare enrollee;

(H) Avoidance of any coverage limitations relative to the number of nonemergency outpatient visits per year for a TennCare enrollee;

(I) Avoidance of any coverage limitations relative to the number of physician office visits per year for a TennCare enrollee;

(J) Avoidance of coverage limitations relative to the number of laboratory and diagnostic imaging encounters per year for a TennCare enrollee;

(K) Maintenance of coverage for occupational therapy, physical therapy, and speech therapy services;

(L) In the total amount of five hundred seventy-seven thousand four hundred dollars (\$577,400) to maintain reimbursement at the emergency care rate for nonemergent care to children aged twelve (12) to twenty-four (24) months to avoid the reduction described in the governor's FY 2017-2018 recommended budget; and

(M) In the total amount of two million sixty-three thousand seven hundred dollars (\$2,063,700) to the bureau to offset the elimination of the provision in the TennCare managed care contractor risk agreements for hospitals as follows:

CRA 2.12.9.60-Specify in applicable provider agreements that all providers who participate in the federal 340B program give TennCare MCOs the benefit of 340B pricing;

(2) Directed payments to hospitals to offset unreimbursed costs incurred by covered hospitals in providing services to TennCare patients, as approved by CMS. Unreimbursed TennCare costs are defined as the excess of TennCare cost over TennCare net revenue as reported on Schedule E, items (A)(1)(c) and (A)(1)(d) from the hospital's 2015 joint annual report filed with the department of health. TennCare costs are defined as the product of a facility's cost-to-charge ratio times TennCare charges. The amount of the directed payment to covered hospitals shall be no less than thirty-seven and nine tenths percent (37.9%) of unreimbursed TennCare cost for all hospitals licensed by the state that reported unreimbursed TennCare cost on the 2015 joint annual report (JAR), excluding state-owned hospitals. If directed payments to hospitals authorized by CMS do not fully cover the amount of the hospital unreimbursed TennCare costs required to be reimbursed by this section (d)(2), then the remaining balance in the trust fund shall be used to offset the remaining unreimbursed TennCare costs required to be reimbursed by this section;

(3)

(A) In the event CMS does not approve directed payments to hospitals to offset unreimbursed costs incurred in serving TennCare patients, but instead approves the Unreimbursed Hospital Cost (UHC) pool in the TennCare waiver for such purpose, then payments shall be made from the allocated pool to covered hospitals to offset losses incurred in providing services to TennCare enrollees as set forth in this subdivision (d)(3) as first priority before any other supplemental payments authorized in the TennCare waiver are distributed;

(B) Each covered hospital shall be entitled to payments for FY 2017-2018 of a portion of its unreimbursed cost of providing services to TennCare enrollees. Unreimbursed TennCare costs are defined as the excess of TennCare cost over TennCare net revenue as reported on Schedule E, items (A)(1)(c) and (A)(1)(d) from the hospital's 2015 joint annual report filed with the department of health. TennCare costs are defined as the product of a facility's cost-to-charge ratio times TennCare charges. The amount of the payment to covered hospitals shall be no less than thirty-seven and nine tenths percent (37.9%) of unreimbursed TennCare costs for all hospitals licensed by the state that reported unreimbursed TennCare costs on the 2015 joint annual report (JAR), excluding state-owned hospitals;

(C) If funds are remaining for supplemental pools in the TennCare waiver authority after payments to covered hospitals from the UHC pool for uncompensated costs of serving TennCare patients as required in this subdivision (d)(3), the bureau shall allocate the remaining supplemental payments approved by CMS across the following categories: payments to essential access hospitals, payments to hospitals based on their status as medicaid disproportionate share hospitals, and payment to the state for certified public expenditures recognized by CMS;

(D) The payments required by this subdivision (d)(3) shall be made in four (4) equal installments. Each installment payment shall be made by the third business day of four (4) successive periods within 2017-2018, with the first period to be the 15th day of the month in which the annual coverage assessment is first levied in accordance with § 71-5- 1504. The bureau shall provide to the Tennessee Hospital Association a schedule showing the payments to each hospital at least seven (7) days in advance of the payments; and

(E) The payments required by this subdivision (d)(3) may be made by the bureau directly to the hospitals, or the bureau may transfer the funds to one (1) or more managed care organizations with the direction to make payments to hospitals as required by this subsection (d). The payments to a hospital pursuant to this subdivision (d)(3) shall not be considered part of the reimbursement to which a hospital is entitled under its contract with a TennCare managed care organization;

(4) Refunds to covered hospitals based on the payment of annual coverage assessments or penalties to the bureau through error, mistake, or a determination that the annual coverage assessment was invalidly imposed; and

(5) Payments authorized under rules promulgated by the bureau pursuant to § 71-5-1504(i)(2).

(e) If a hospital closes or changes status from a covered hospital to an excluded hospital and consequently reduces the amount of the annual coverage assessment to the extent that the amount is no longer sufficient to cover the total cost of the items included in subsection (d), the payments for these items may be adjusted by an amount equal to the shortfall, including the federal financial participation. The items to be adjusted and the amounts of the adjustments shall be determined by the bureau in consultation with hospitals.

(f) The bureau shall modify the contracts with TennCare managed care organizations and otherwise take action necessary to assure the use and application of the assets of the maintenance of coverage trust fund, as described in subsection (d).

(g) The bureau shall submit requests to CMS to modify the medicaid state plan, the contractor risk agreements, or the TennCare II Section 1115 demonstration project, as necessary, to implement the requirements of this part.

(h) At quarterly intervals beginning September 1, 2017, the bureau shall submit a report to the finance, ways and means committees of the senate and the house of representatives, to the health and welfare committee of the senate, and to the health committee of the house of representatives, which report shall include:

(1) The status, if applicable, of the determination and approval by CMS set forth in § 71-5-1503(b) of the annual coverage assessment;

(2) The balance of funds in the maintenance of coverage trust fund; and

(3) The extent to which the maintenance of coverage trust fund has been used to carry out this part.

(i) No part of the maintenance of coverage trust fund shall be diverted to the general fund or used for any purpose other than as set forth in this part.

71-5-1506.

This part shall expire on June 30, 2018; provided, however, that the following rights and obligations shall survive such expiration:

(1) The authority of the bureau to impose late payment penalties and to collect unpaid annual coverage assessments and required refunds;

(2) The rights of a covered hospital or an association of covered hospitals to file a petition for declaratory order to determine compliance with this part;

(3) The existence of the maintenance of coverage trust fund and the obligation of the bureau to use and apply the assets of the maintenance of coverage trust fund; and

(4) The obligation of the bureau to implement and maintain the requirements of § 71-5-161.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. McDaniel moved that **House Bill No. 647**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 81

Representatives voting no were: Holt -- 1

Representatives present and not voting were: Dunn -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 647** and have this statement entered in the Journal: Rep. Staples.

PRESENT IN CHAMBER

Rep. Lynn was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 174 -- Teachers, Principals and School Personnel - As introduced, creates a list of rights and protections afforded to educators. - Amends TCA Title 49. by *Reedy, *Rudd, *Terry, *Ramsey. (*SB14 by *Tracy, *Green)

Rep. Reedy moved that House Bill No. 174 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 174 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 2, is amended by adding the following language as a new section:

(a) For purposes of this section, "educator" means any teacher, principal, supervisor, or other individual required by law to hold a valid license of qualification for employment in the public schools of this state.

(b) An educator has the right to:

(1) Be treated with civility and respect;

(2) Have his or her professional judgment and discretion respected;

(3) Report any errant, offensive, or abusive content or behavior of students to school officials or appropriate agencies;

(4) Provide students with a classroom and school in which the educators, students, the property of the educator and students, and peers will be safe;

(5) Defend themselves and their students from physical violence or physical harm pursuant to § 49-6-4008;

(6) Share information regarding a student's educational experience, health, or safety with the student's parent or legal guardian unless otherwise prohibited by state law or the federal Family Educational Rights and Privacy Act (FERPA), codified in 20 U.S.C. § 1232g;

(7) Review all instructional material or curriculum prior to those materials being utilized for instruction of students; and

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(8) Not be required to use their personal money to appropriately equip a classroom.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Reedy moved that **House Bill No. 174**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

***House Bill No. 468** -- Licenses - As introduced, provides for reimbursement to the wildlife resources agency for lost revenue resulting from the issuance of free or partially discounted combination hunting and fishing licenses to persons on or after January 1, 2017. - Amends TCA Title 4, Chapter 3 and Title 70. by *Reedy. (SB454 by *Bell, *Gardenhire)

On motion, House Bill No. 468 was made to conform with **Senate Bill No. 454**; the Senate Bill was substituted for the House Bill.

Rep. Reedy moved that Senate Bill No. 454 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Reedy moved that **Senate Bill No. 454** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford,

Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 454** and have this statement entered in the Journal: Rep. Carr.

REGULAR CALENDAR, CONTINUED

House Bill No. 1164 -- Agriculture - As introduced, requires that industrial hemp license and permit fees be calculated in the same manner as other fees for programs administered by the department of agriculture pursuant to the tiered fee structure established under the Tennessee agricultural regulatory fund laws. - Amends TCA Title 43, Chapter 1, Part 7; Section 43-26-102 and Section 43-26-103. by *Reedy, *McDaniel. (*SB968 by *Niceley)

Rep. Reedy moved that House Bill No. 1164 be passed on third and final consideration.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1164 by deleting Section 1 and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 43-26-102(4), is amended by deleting the subdivision in its entirety and substituting instead the following:

(4) "Industrial hemp":

(A) Means the plants and plant parts of the genera cannabis that do not contain a delta-9 tetrahydrocannabinol (THC) concentration more than three tenths of one percent (0.3%) on a dry mass basis; and

(B) Includes any industrial hemp-derived products that do not contain more than three tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC) in a topical or ingestible consumer product.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

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Rep. Reedy moved that **House Bill No. 1164**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 86
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 86

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 1164** and have this statement entered in the Journal: Rep. Moody.

REGUALR CALENDAR, CONTINUED

House Bill No. 979 -- Professions and Occupations - As introduced, enacts the "Freedom to Prosper Act" to limit the circumstances under which local government entities may regulate occupations. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 56, Chapter 1, Part 3; Title 62 and Title 63. by *Calfee, *Daniel. (*SB473 by *Roberts)

On motion, House Bill No. 979 was made to conform with **Senate Bill No. 473**; the Senate Bill was substituted for the House Bill.

Rep. Calfee moved that Senate Bill No. 473 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Calfee moved that **Senate Bill No. 473** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 69
Noes..... 17

Representatives voting aye were: Alexander, Brooks H., Brooks K., Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock,

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McDaniel, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Camper, Clemmons, Cooper, Fitzhugh, Hardaway, Jones, Love, Miller, Mitchell, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Turner -- 17

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 473** and have this statement entered in the Journal: Rep. Towns.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1296** -- Criminal Procedure - As introduced, requires the Tennessee bureau of investigation (TBI) to review the number of expunction petitions filed in 2017 for crimes committed prior to November 1, 1989, the number of petitions that were granted, and the number of petitions that were rejected; requires TBI to report its findings to the general assembly in January of 2019. - Amends TCA Section 40-32-101. by *Parkinson. (SB1334 by *Bell, *Harris)

Rep. Parkinson moved that House Bill No. 1296 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1296 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by deleting the language "twenty-five thousand dollars (\$25,000)" in subdivision (g)(1)(C)(iv)(i) and substituting instead the language "fifty thousand dollars (\$50,000)".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to petitions filed on or after that date.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

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Rep. Parkinson moved that **House Bill No. 1296**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes 4

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Wirgau, Zachary, Madam Speaker Harwell -- 85

Representatives voting no were: Gant, Hulseley, Lollar, Williams -- 4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **House Bill No. 1296** and have this statement entered in the Journal: Rep. Lollar.

REGULAR CALENDAR, CONTINUED

***House Bill No. 456** -- Real Property - As introduced, prohibits homeowners' associations from adopting or enforcing regulations that prohibit veterans from flying the U.S. flag and military flags. - Amends TCA Title 5; Title 6; Title 7 and Title 66. by *Littleton, *Holsclaw. (SB469 by *Niceley, *Bowling, *Haile)

On motion, House Bill No. 456 was made to conform with **Senate Bill No. 469**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that Senate Bill No. 469 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Littleton moved that **Senate Bill No. 469** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel,

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DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 724 -- Solid Waste Disposal - As introduced, increases the minimum number of members appointed to serve on regional solid waste boards, from five to seven; requires the two additional members to be elected officials from local governmental entities located within the region served by a board. - Amends TCA Title 68, Chapter 211, Part 8. by *Gilmore. (*SB527 by *Southerland)

On motion, House Bill No. 724 was made to conform with **Senate Bill No. 527**; the Senate Bill was substituted for the House Bill.

Rep. Gilmore moved that Senate Bill No. 527 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gilmore moved that **Senate Bill No. 527** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 83
Noes..... 3

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, White D., White M., Whitson, Williams, Wirgau, Zachary -- 83

Representatives voting no were: Curcio, Goins, Holt -- 3

A motion to reconsider was tabled.

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House Bill No. 946 -- Motor Vehicles, Titling and Registration - As introduced, clarifies that renewals of the registration of certain vehicles whose original expiration date was extended from February 28, 1997, to March 31, 1997, be available for renewal on March 1 of each year. - Amends TCA Section 55-4-104. by *Whitson, *Sargent. (*SB162 by *Johnson)

On motion, House Bill No. 946 was made to conform with **Senate Bill No. 162**; the Senate Bill was substituted for the House Bill.

Rep. Whitson moved that Senate Bill No. 162 be passed on third and final consideration.

Rep. Doss moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Whitson moved that **Senate Bill No. 162** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep. Powers was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

***House Bill No. 89** -- School Transportation - As introduced, places restrictions on receiving school bus driver license endorsements or being hired as a school bus driver for drivers who have committed serious traffic violations, including excessive speeding or reckless driving. - Amends TCA Title 49, Chapter 6, Part 21 and Title 55. by *Rogers. (SB149 by *Haile, *Bowling, *Briggs, *Crowe, *Gardenhire, *Jackson, *Massey, *Niceley, *Norris, *Watson, *Yager)

On motion, House Bill No. 89 was made to conform with **Senate Bill No. 149**; the Senate Bill was substituted for the House Bill.

Rep. Rogers moved that Senate Bill No. 149 be passed on third and final consideration.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Rep. Doss moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 149 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-2107(c), is amended by deleting the following language:

No person shall be issued a certificate until an investigation has been made to determine whether or not the person has been found guilty of any criminal offense and until the criminal records are made a part of the person's permanent file.

and substituting instead the following:

No person shall be issued a certificate until an investigation has been made to determine whether the person has been found guilty of any criminal offense or has been found by a court to have committed any serious traffic violation, and until the records are made a part of the person's permanent file.

SECTION 2. Tennessee Code Annotated, Section 49-6-2107(e), is amended by adding the following as a new subdivision:

(3) Notwithstanding any other law or rule adopted pursuant to subsection (b) to the contrary, no person shall be issued a certificate to drive a school bus in this state who, within three (3) years of the person's request for a certificate, has been found by a court to have committed a serious traffic violation in this state, or in any other jurisdiction pursuant to a law prohibiting the same conduct.

SECTION 3. Tennessee Code Annotated, Section 49-6-2107, is amended by adding the following as a new subsection:

For purposes of this section:

(1) "Commercial motor vehicle" means a motor vehicle used in commerce to transport passengers or property if the motor vehicle:

(A) Has a gross vehicle weight rating or gross combination weight rating in excess of twenty-six thousand pounds (26,000 lbs);

(B) Is designed to transport more than fifteen (15) passengers, including the driver;

(C) Is of any size and used in the transportation of hazardous materials and which must be placarded; or

(D) Is used as a school bus;

(2) "Excessive speeding" means:

(A) Operating a commercial motor vehicle at a speed in excess of fifteen miles per hour (15 mph) above the posted speed limit; or

(B) Operating a motor vehicle other than a commercial motor vehicle at a speed in excess of twenty-five miles per hour (25 mph) above the posted speed limit; and

(3) "Serious traffic violation" means:

(A) Excessive speeding;

(B) Reckless driving, as defined under § 55-10-205; or

(C) A violation of any state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death or injury to any person or property.

SECTION 4. Tennessee Code Annotated, Section 49-6-2117(b), is amended by deleting the subsection and substituting instead the following:

(b) Notwithstanding any other law to the contrary, no private school or church-related school shall employ or permit a person to drive a school bus in this state who, within three (3) years of the person's application to be employed or serve as a school bus driver, has been found by a court to have committed a serious traffic violation in this state, or in any other jurisdiction pursuant to a law prohibiting the same conduct.

(c) It shall be the responsibility of the private school or church-related school to determine whether any person employed by the school to drive a school bus is in compliance with this section.

(d) For purposes of this section:

(1) "Commercial motor vehicle" means a motor vehicle used in commerce to transport passengers or property if the motor vehicle:

(A) Has a gross vehicle weight rating or gross combination weight rating in excess of twenty-six thousand pounds (26,000 lbs);

(B) Is designed to transport more than fifteen (15) passengers, including the driver;

(C) Is of any size and used in the transportation of hazardous materials and which must be placarded; or

(D) Is used as a school bus;

(2) "Excessive speeding" means:

(A) Operating a commercial motor vehicle at a speed in excess of fifteen miles per hour (15 mph) above the posted speed limit; or

(B) Operating a motor vehicle other than a commercial motor vehicle at a speed in excess of twenty-five miles per hour (25 mph) above the posted speed limit; and

(3) "Serious traffic violation" means:

(A) Excessive speeding;

(B) Reckless driving, as defined under § 55-10-205; or

(C) A violation of any state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death or injury to any person or property.

SECTION 5. Tennessee Code Annotated, Section 55-50-302(d), is amended by deleting the subsection and substituting instead the following:

(1) The department shall not issue an initial school bus endorsement to any applicant unless:

(A) The applicant is at least twenty-five (25) years of age;

(B) The applicant has had at least five (5) consecutive years of unrestricted driving experience prior to the date of application; and

(C) The department is fully satisfied as to the applicant's good character, competency, and fitness to be so employed.

(2) Notwithstanding subdivision (d)(1) to the contrary:

(A) No person shall be issued a school bus endorsement who, within five (5) years of the person's application for the endorsement, has been convicted in this state, or in any other jurisdiction pursuant to a law prohibiting the same conduct, of a violation of any of the following:

(i) Driving under the influence of an intoxicant as prohibited by § 55-10-401;

(ii) Vehicular assault as prohibited by § 39-13-106;

(iii) Vehicular homicide as prohibited by § 39-13-213(a)(2);

(iv) Aggravated vehicular homicide as prohibited by § 39-13-218;

(v) Manufacture, delivery, sale, or possession of a controlled substance as prohibited by § 39-17-417; or

(vi) Manufacture, delivery, sale, or possession of a controlled substance analogue as prohibited by § 39-17-454; and

(B) No person shall be issued a school bus endorsement who, within three (3) years of the person's application for the endorsement, has been found by a court to have committed a serious traffic violation in this state, or in any other jurisdiction pursuant to a law prohibiting the same conduct.

SECTION 6. Tennessee Code Annotated, Section 55-50-302, is amended by adding the following as a new subsection:

For purposes of this section:

(1) "Excessive speeding" means:

(A) Operating a commercial motor vehicle at a speed in excess of fifteen miles per hour (15 mph) above the posted speed limit; or

(B) Operating a motor vehicle other than a commercial motor vehicle at a speed in excess of twenty-five miles per hour (25 mph) above the posted speed limit; and

(2) "Serious traffic violation" means:

(A) Excessive speeding;

(B) Reckless driving, as defined under § 55-10-205; or

(C) A violation of any state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death or injury to any person or property.

SECTION 7. This act shall take effect January 1, 2018, the public welfare requiring it.

Rep. Rogers moved that Senate Bill No. 149 be reset for the Regular Calendar on May 3, 2017, which motion prevailed.

***House Bill No. 975** -- State Employees - As introduced, requires each department to report the number of preferred service employees in the department affected by a reduction-in-force during the previous fiscal year to the chairs of the state government committee of the house of representatives and the state and local government committee of the senate. - Amends TCA Title 4; Title 8; Title 9, Chapter 4, Part 53; Title 10; Title 11; Title 12; Title 41; Title 50 and Title 54. by *Hawk, *Farmer. (SB1390 by *Hensley)

Rep. Hawk moved that House Bill No. 975 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 975 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-30-303(a), is amended by adding the following language as subdivision (4):

(4) An assessment may be used in lieu of an interview by the commissioner or an appointing authority to satisfy any requirements of this chapter. If an assessment is used in lieu of an interview, notice of such use may be included in the job announcement.

SECTION 2. Tennessee Code Annotated, Section 8-30-311, is amended by designating the existing language as subsection (a) and adding the following new subsection (b):

(b) The commissioner may provide input on all contracts with the private sector to perform the functions or jobs listed in subsection (a). The commissioner may be involved in the communications with any employee whose job may be terminated as the result of a contract with a private party.

SECTION 3. Tennessee Code Annotated, Section 8-30-314, is amended by adding the following new subsections:

(k) An appointing authority that terminates or furloughs an employee or reduces an employee's hours of employment for any reason shall provide written notice to the commissioner. Upon receiving notice, the commissioner shall provide input throughout the reduction-in-force process.

(l) If a reduction-in-force authorized under this section occurs, the commissioner shall notify, at the same time the preferred service employee whose position is abolished because of a reduction-in-force is notified, but not less than thirty (30) days after the reduction, the chair of the state and local government committee in the senate and the chair of the state government committee in the house of representatives of the reason for the reduction-in-force and the number of positions affected by the reduction-in-force.

SECTION 4. Tennessee Code Annotated, Section 8-30-316, is amended by adding the following language as a new subsection (g):

(g) A notice of termination shall include the reason for the termination in clear and concise language and shall state the facts that led to the termination.

SECTION 5. Tennessee Code Annotated, Section 8-30-319, is amended by adding the following language as a new subsection (c):

(c) Any written warning or written follow-up to an oral warning that has been issued to an employee is void and of no effect after a period of two (2) years if the employee has not been the subject of further disciplinary action with respect to the same area of performance, conduct, or discipline within the two-year period.

SECTION 6. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Shaw moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 975 by adding the following section immediately preceding the last section and renumbering the last section accordingly:

SECTION __. Tennessee Code Annotated, Title 4, Chapter 3, Part 1, is amended by adding the following new section:

Not less than thirty (30) days before a department of state government, or any agency thereof, executes a proposed state contract to complete a project within a state legislative district that would utilize outsourcing to provide goods and services under the contract, the respective department shall notify each member of the general assembly representing such district of the contract.

Rep. Casada moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	54
Noes.....	33

Representatives voting aye were: Brooks H., Brooks K., Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hicks, Holsclaw, Holt, Howell, Hulsey, Kane, Keisling, Lamberth, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Swann, Tillis, Travis, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary -- 54

Representatives voting no were: Akbari, Alexander, Byrd, Camper, Clemmons, Cooper, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jones, Kumar, Love, Matheny, Miller, Mitchell, Parkinson, Pitts, Powell, Rudd, Shaw, Smith, Sparks, Staples, Stewart, Thompson, Towns, Turner, Van Huss -- 33

Rep. Fitzhugh moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 975 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Title 8, Chapter 30, Part 3, is amended by adding the following language as a new section:

Notwithstanding any law to the contrary, an appointing authority or public institution of higher education shall not, during the period between the effective date of this act and January 21, 2018, terminate or furlough an employee currently working in a facility management job classification, or reduce the employee's hours of employment, as the result of a state contract with a private party. This section applies only to contracts entered into or renewed on or after the effective date of this act.

Rep. Casada moved that House Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	47
Noes.....	44

Representatives voting aye were: Alexander, Brooks H., Brooks K., Calfee, Carter, Casada, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Farmer, Gant, Halford, Hulsey, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, McCormick, McDaniel, Pody, Powers,

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Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Swann, Terry, Tillis, Travis, Weaver, White M., Whitson, Williams, Wirgau, Zachary -- 47

Representatives voting no were: Akbari, Butt, Byrd, Camper, Carr, Clemmons, Coley, Cooper, DeBerry, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jernigan, Jones, Love, Matheny, Matlock, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Rudd, Shaw, Smith, Sparks, Staples, Stewart, Thompson, Towns, Turner, Van Huss -- 44

Rep. Williams moved the previous question, which motion failed by the following vote:

Ayes 56
Noes..... 34

Representatives voting aye were: Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Halford, Hawk, Hicks, Hill T., Howell, Hulsey, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Sherrell, Swann, Terry, Tillis, Travis, Weaver, White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 56

Representatives voting no were: Akbari, Alexander, Byrd, Camper, Clemmons, Coley, Cooper, DeBerry, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Hill M., Holsclaw, Holt, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rudd, Sanderson, Shaw, Sparks, Staples, Stewart, Thompson, Towns, Turner, Van Huss -- 34

After further discussion, Rep. Byrd moved the previous question, which motion prevailed.

Rep. Hawk moved that **House Bill No. 975**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 81
Noes..... 9

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Sparks, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 81

Representatives voting no were: Clemmons, Cooper, Gilmore, Jones, Parkinson, Shaw, Staples, Stewart, Towns -- 9

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Reps. Hazlewood and Johnson were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

***House Bill No. 538** -- Education - As introduced, requires the Tennessee financial literacy commission to post its annual report on the website of the department of the treasury. - Amends TCA Title 49. by *Smith, *McCormick, *Lamberth, *Brooks H, *White M, *DeBerry, *Dunn, *Williams. (SB723 by *Overbey, *Tracy, *Bailey, *Bowling, *Briggs, *Crowe, *Gresham, *Kelsey, *Niceley, *Stevens, *Yager)

On motion, House Bill No. 538 was made to conform with **Senate Bill No. 723**; the Senate Bill was substituted for the House Bill.

Rep. Smith moved that Senate Bill No. 723 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved the previous question, which motion prevailed by the following vote:

Ayes	64
Noes	29

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Curcio, Daniel, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Swann, Terry, Thompson, Tillis, Travis, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 64

Representatives voting no were: Akbari, Camper, Clemmons, Cooper, DeBerry, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Hill M., Hill T., Holt, Jernigan, Jones, Lynn, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Shaw, Sparks, Staples, Stewart, Towns, Turner, Van Huss -- 29

Rep. Smith moved that **Senate Bill No. 723** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	7

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick,

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McDaniel, Miller, Moody, Parkinson, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 85

Representatives voting no were: Clemmons, Jones, Mitchell, Pitts, Powell, Stewart, Turner -- 7

A motion to reconsider was tabled.

House Bill No. 1288 -- Wine & Wineries - As introduced, requires importers of wine to file monthly reports with the department of revenue containing certain shipment information; provides for the availability and preservation of reports and related records; subjects such importers to sanctions for failure to comply with reporting requirements. - Amends TCA Section 57-3-217. by *Sanderson. (*SB702 by *Yager)

Rep. Sanderson moved that House Bill No. 1288 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1288 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-217, is amended by adding the following language as a new subsection (h):

(1) Each common carrier that contracts with a direct shipper under this section for delivery of wine into this state shall prepare and file monthly with the department of revenue a report of known wine shipments containing the name of the common carrier making the report, the period of time covered by the report, the name and business address of the consignor, the name and address of each consignee, the weight of the package delivered to each consignee, a unique tracking number, and the date of delivery. Reports received by the department of revenue must be made available to the public pursuant to the open records law, compiled in title 10, chapter 7.

(2) Upon the request of the commissioner of revenue, any records supporting the report must be made available to the department of revenue within a reasonable time after the commissioner makes a written request for such records. Any records containing information relating to such reports must be retained and preserved for a period of two (2) years, unless destruction of the records prior to the end of such retention period is authorized in writing by the department of revenue. Such records must be open and available for inspection by the department of revenue upon written request. Reports must also be made available to any law enforcement agency or regulatory body of any local

government in this state in which the common carrier making the report resides or does business.

(3) Any common carrier that willfully fails to make reports in accordance with this section or that violates any rules of the department of revenue for the administration and enforcement of this section is subject to a notification of violation. If a common carrier continually fails to make reports, the common carrier may be fined in an amount not to exceed five hundred dollars (\$500) for each delivery not reported to the department of revenue. Unpaid fines assessed under this subdivision (h)(3) must be collected in accordance with title 67, chapter 1.

(4) This subsection (h) does not apply to common carriers regulated under 49 U.S.C. §§ 10101 et seq., or to rail trailer-on-flatcar/container-on-flatcar (TOFC/COFC) service, as defined in 49 CFR § 1090.1, or highway TOFC/COFC service provided by a rail carrier, either itself or jointly with a motor carrier, as part of continuous intermodal freight transportation, including, without limitation, any other TOFC/COFC transportation as defined under federal law.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Sanderson moved that **House Bill No. 1288**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes.....	13
Present and not voting.....	6

Representatives voting aye were: Akbari, Brooks H., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Parkinson, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Staples, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau -- 72

Representatives voting no were: Brooks K., Byrd, Doss, Hill M., Hill T., Holt, Lollar, Matlock, Mitchell, Sexton J., Smith, Stewart, Zachary -- 13

Representatives present and not voting were: Alexander, Butt, DeBerry, Pody, Powers, Sparks -- 6

A motion to reconsider was tabled.

***House Bill No. 230** -- Taxes, Alcoholic Beverages - As introduced, extends by one year the manner in which liquor-by-the-drink tax proceeds are distributed to local political subdivisions. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 49; Title 57 and Title 67. by *Hulsey. (SB1262 by *Norris)

On motion, House Bill No. 230 was made to conform with **Senate Bill No. 1262**; the Senate Bill was substituted for the House Bill.

Rep. Hulsey moved that **Senate Bill No. 1262** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes.....	5
Present and not voting.....	5

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 80

Representatives voting no were: Gant, Holt, Moody, Sexton J., Zachary -- 5

Representatives present and not voting were: Butt, Byrd, Pody, Powers, Sparks -- 5

A motion to reconsider was tabled.

House Bill No. 952 -- Physicians and Surgeons - As introduced, enacts the "Visiting Sports Team Act." - Amends TCA Title 63. by *Crawford. (*SB413 by *Tracy)

On motion, House Bill No. 952 was made to conform with **Senate Bill No. 413**; the Senate Bill was substituted for the House Bill.

Rep. Crawford moved that Senate Bill No. 413 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Crawford moved that **Senate Bill No. 413** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	2

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 92

Representatives voting no were: Doss, McCormick -- 2

A motion to reconsider was tabled.

***House Bill No. 11** -- Weapons - As introduced, enacts the "Tennessee Hearing Protection Act," which deletes the prohibition on possession, manufacture, transport, repair, or sale of a firearm silencer. - Amends TCA Section 39-17-1301 and Section 39-17-1302. by *Goins, *Sexton J, *Terry, *Holt, *Holsclaw. (SB921 by *Southerland)

On motion, House Bill No. 11 was made to conform with **Senate Bill No. 921**; the Senate Bill was substituted for the House Bill.

Rep. Goins moved that Senate Bill No. 921 be passed on third and final consideration.

Rep. Stewart moved adoption of House Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 921 by deleting Section 2 in its entirety and renumbering the subsequent sections appropriately.

AND FURTHER AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 39-17-1302, is further amended by adding the following as a new subsection:

(g)

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(1) A person commits an offense who intentionally or knowingly purchases a firearm silencer without first undergoing a criminal history record check by a gun dealer, as described in § 39-17-1316. The person shall not purchase the firearm silencer unless the gun dealer receives a unique approval number from the Tennessee bureau of investigation indicating that the person is eligible to purchase a firearm under § 39-17-1316.

(2) An offense under this subsection (g) is a Class E felony.

Rep. Goins moved that House Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	71
Noes.....	24

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Sparks, Swann, Terry, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 71

Representatives voting no were: Akbari, Camper, Clemmons, Cooper, Daniel, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Smith, Staples, Stewart, Thompson, Towns -- 24

Rep. Casada moved the previous question, which motion prevailed by the following vote:

Ayes	69
Noes.....	26

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Travis, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Camper, Clemmons, Cooper, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Shaw, Staples, Stewart, Thompson, Towns, Turner, Van Huss -- 26

Rep. Goins moved that **Senate Bill No. 921** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
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Noes..... 18

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 74

Representatives voting no were: Akbari, Camper, Clemmons, Cooper, Gilmore, Hardaway, Jernigan, Jones, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Towns -- 18

A motion to reconsider was tabled.

***Senate Joint Resolution No. 111** -- General Assembly, Statement of Intent or Position - Urges banning state-sponsored travel to states that have banned such travel to Tennessee. by *Bell, *Hensley, *Ketron, *Green, *Beavers, *Johnson, *Niceley, *Southerland, *Jackson, *Bowling, *Gardenhire, *Gresham, *Stevens, *Bailey.

Rep. Goins moved that the house concur in Senate Joint Resolution No. 111.

Rep. Casada moved the previous question, which motion prevailed by the following vote:

Ayes 61
Noes..... 28
Present and not voting..... 1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Doss, Eldridge, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Sanderson, Sexton C., Sexton J., Sherrell, Swann, Terry, Tillis, Travis, Weaver, White D., White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 61

Representatives voting no were: Akbari, Camper, Clemmons, Cooper, Daniel, DeBerry, Dunn, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Shaw, Staples, Stewart, Towns, Turner, Van Huss -- 28

Representatives present and not voting were: Thompson -- 1

Rep. Goins moved that the house concur in **Senate Joint Resolution No. 111**, which motion prevailed by the following vote:

Ayes 73
Noes..... 20

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Present and not voting..... 1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 73

Representatives voting no were: Akbari, Camper, Clemmons, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Towns, Turner -- 20

Representatives present and not voting were: Thompson -- 1

A motion to reconsider was tabled.

***House Bill No. 995** -- Handgun Permits - As introduced, increases amount of time a handgun carry permit holder must notify the department of safety of a change of address from 60 days to 75 days. - Amends TCA Title 39, Chapter 17, Part 13. by *White D. (SB1077 by *Lundberg, *Jackson)

On motion, House Bill No. 995 was made to conform with **Senate Bill No. 1077**; the Senate Bill was substituted for the House Bill.

Rep. D. White moved that Senate Bill No. 1077 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. D. White moved that **Senate Bill No. 1077** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 76
Noes..... 17

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Thompson, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 76

Representatives voting no were: Akbari, Camper, Clemmons, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Turner -- 17

A motion to reconsider was tabled.

***House Bill No. 19** -- Motor Vehicles - As introduced, authorizes motorcycle dealers to obtain a temporary permit from the motor vehicle commission to offer to sell or sell motorcycles from a temporary site once per year. - Amends TCA Title 55, Chapter 17. by *Pitts. (SB152 by *Green)

BILL HELD ON DESK

Rep. Pitts moved that House Bill No. 19 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 37** -- Constitutional Amendments - Proposes an amendment to the Constitution of Tennessee recognizing that our liberties do not come from governments, but from Almighty God. by *VanHuss, *Butt, *White M, *Hulsey, *Hill M, *Keisling, *Matlock, *Calfee, *Rudd, *Rogers, *Byrd, *Howell, *Sparks, *Holt, *Weaver, *Sexton J, *Goins, *Brooks K.

Rep. Van Huss requested that the Clerk read House Joint Resolution No. 37 for the first Constitutional reading, as perscribed by the Constitution of the State of Tennessee.

The Clerk read House Joint Resolution No. 37.

Rep. Van Huss moved that House Joint Resolution No. 37 be reset for Wednesday, May 3, 2017, for its second reading, which motion prevailed.

***House Bill No. 722** -- Alcoholic Beverages - As introduced, designates The Plaza in Nashville as a premier type tourist resort for purposes of on-premises consumption of alcoholic beverages. - Amends amend TCA. by *Powell. (SB740 by *Yarbro)

On motion, House Bill No. 722 was made to conform with **Senate Bill No. 740**; the Senate Bill was substituted for the House Bill.

Rep. Powell moved that Senate Bill No. 740 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved that **Senate Bill No. 740** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes.....	17
Present and not voting.....	5

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Representatives voting aye were: Akbari, Alexander, Brooks K., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Weaver, White D., White M., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 69

Representatives voting no were: Brooks H., Byrd, Crawford, Dunn, Gant, Hardaway, Hill M., Hill T., Holt, Keisling, Matlock, Moody, Sexton J., Sherrell, Smith, Van Huss, Zachary -- 17

Representatives present and not voting were: DeBerry, Doss, Pody, Powers, Rudd -- 5

A motion to reconsider was tabled.

House Bill No. 935 -- Alcoholic Beverages - As introduced, removes automatic and permanent revocation of license for two or more convictions for violations under the consumption of alcoholic beverages on premises law; changes certain requirements for infused products; authorizes hotels to sell sealed packages of alcoholic beverages to registered guests; makes other various changes to alcohol-related laws. - Amends TCA Title 57, Chapter 2; Title 57, Chapter 3 and Title 57, Chapter 4. by *Powell. (*SB798 by *Dickerson)

On motion, House Bill No. 935 was made to conform with **Senate Bill No. 798**; the Senate Bill was substituted for the House Bill.

Rep. Powell moved that Senate Bill No. 798 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved that **Senate Bill No. 798** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	64
Noes.....	21
Present and not voting.....	6

Representatives voting aye were: Akbari, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Weaver, White D., Whitson, Williams, Wirgau -- 64

Representatives voting no were: Brooks H., Brooks K., Byrd, Crawford, Doss, Dunn, Gant, Hardaway, Hill M., Hill T., Holt, Keisling, Matlock, Moody, Rudd, Sexton J., Sherrell, Smith, Van Huss, White M., Zachary -- 21

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Representatives present and not voting were: Alexander, Butt, DeBerry, Pody, Powers, Sparks -- 6

A motion to reconsider was tabled.

House Bill No. 1132 -- Water Authorities - As introduced, creates a mechanism for the periodic review of programs, strategies, and organizational structures of certain water and wastewater treatment authorities by the general assembly; authorizes the general assembly to determine the need for legislative action pursuant to such review. - Amends TCA Title 4, Chapter 29; Title 7, Chapter 82, Part 7 and Title 68, Chapter 221. by *Carter, *Gravitt. (*SB951 by *Watson, *Gardenhire)

On motion, House Bill No. 1132 was made to conform with **Senate Bill No. 951**; the Senate Bill was substituted for the House Bill.

Rep. Carter moved that Senate Bill No. 951 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carter moved that **Senate Bill No. 951** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 94

Representatives present and not voting were: Stewart -- 1

A motion to reconsider was tabled.

House Bill No. 206 -- Sunset Laws - As introduced, extends the Tennessee interagency cash flow committee six years to June 30, 2023. - Amends TCA Title 4, Chapter 29, Part 2 and Title 9, Chapter 4, Part 6. by *Faison. (*SB106 by *Bell)

On motion, House Bill No. 206 was made to conform with **Senate Bill No. 106**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 106 be passed on third and final consideration.

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Rep. Ragan moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 106** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 237 -- Sunset Laws - As introduced, extends the health services and development agency to June 30, 2019; requires the agency to update sunset review committee of the agency's progress in complying with Chapter 1043 of the Public Acts of 2016. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 11, Part 16. by *Faison, *White M. (*SB76 by *Bell)

BILL HELD ON DESK

Rep. Williams moved that House Bill No. 237 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 679 -- Sunset Laws - As introduced, extends the board for licensing healthcare facilities one year to June 30, 2017. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 11, Part 2. by *Faison. (*SB242 by *Bell, *Overbey)

On motion, House Bill No. 679 was made to conform with **Senate Bill No. 242**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 242 be passed on third and final consideration.

Rep. Ragan moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 242** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 275** -- Financial Disclosure - As introduced, requires a member of the general assembly to disclose travel expenses paid on behalf of the member by a person with an interest in a public policy of this state if the travel was for the purpose of informing or advising the member with respect to the policy. - Amends TCA Title 2, Chapter 10, Part 1; Title 3, Chapter 6 and Title 8, Chapter 50, Part 5. by *McCormick, *Clemmons, *Daniel, *Kumar, *Powell, *Williams. (SB327 by *Overbey, *Yarbro, *Roberts, *Briggs, *Yager)

Rep. McCormick moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1 to **House Bill No. 275**, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 275

Pursuant to **Rule No. 73**, Representative McCormick moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 275, which motion prevailed.

The Speaker appointed Representatives McCormick, M. Hill and Fitzhugh as the House members of the Conference Committee on House Bill No. 275.

UNFINISHED BUSINESS

BILLS WITHDRAWN

MONDAY, MAY 1, 2017 - THIRTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

On motion of Rep. Staples, **House Joint Resolution No. 472** was withdrawn from the House.

MOTION TO PLACE BILL ON CALENDAR

Rep. Hardaway moved that **House Bill No. 1337** be placed on the next available Regular Calendar, which motion prevailed.

RULES SUSPENDED

Rep. Pody moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 486 out of order, which motion prevailed.

House Joint Resolution No. 486 -- Memorials, Death - Dr. Jay Werthmuller. by *Pody.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pody, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 37 Reps. Moody, Zachary, Sherrell, Powers, Lamberth, Carter, Faison, Eldridge, Coley and Gant as prime sponsors.

House Joint Resolution No. 459 Reps. Carr, Holt, Jernigan, Beck, Windle, Butt, Cooper, Clemmons, Turner and Calfee as prime sponsors.

House Bill No. 89 Reps. Ragan, Powell, Holsclaw, Hardaway, Staples, Gant and Coley as prime sponsors.

House Bill No. 224 Rep. Clemmons as prime sponsor.

House Bill No. 261 Rep. Ragan as prime sponsor.

House Bill No. 392 Rep. Howell as prime sponsor.

House Bill No. 701 Rep. Sargent as prime sponsor.

House Bill No. 727 Rep. Harwell as Second prime sponsors.

House Bill No. 911 Rep. Gilmore as prime sponsor.

**MESSAGE FROM THE SENATE
May 1, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 337, 338, 339, 340, 341, 342, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357 and 405; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
May 1, 2017**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 337, 338, 339, 340, 341, 342, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357 and 405.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE
May 1, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 482, 523, 1206, 1209, 1214, 1223 and 1265; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
May 1, 2017**

MADAM SPEAKER: I am directed to transmit to the House, House Bill No. 192; The Senate refused to recede from its action in adopting Senate Amendment No. 1.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
May 1, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 752. The Senate refused to recede from its action in nonconcurring in House Amendment(s) No. 1. The Speaker appointed a Conference Committee composed of Senators: Bowling, Stevens, and Gresham to confer with a like committee from the House in open conference to resolve the differences between the bodies on Senate Bill No. 752.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
May 1, 2017

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1373; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
May 1, 2017

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 106, 419, 1271 and 1292; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
May 1, 2017

The Speaker announced that she had signed the following: Senate Bills Nos. 482, 523, 1206, 1209, 1214, 1223 and 1265.

TAMMY LETZLER, Chief Clerk

SIGNED
May 1, 2017

The Speaker announced that she had signed the following: House Bills Nos. 39, 63, 141, 310, 344, 348, 393, 404, 425, 439, 473, 560, 768, 873, 934, 993, 1049, 1111, 1431, 1432, 1433 and 1440.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
May 1, 2017

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 185, 904, 1180, 1287 and 1355; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 185** -- Hospitals and Health Care Facilities - As introduced, requires the bureau of TennCare to provide prior notice to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate before making pro rata reductions in payments from the nursing home assessment trust fund. - Amends TCA Title 68 and Title 71. by *Overbey, *Massey. (HB142 by *Johnson)

Senate Bill No. 904 -- Taxes, Real Property - As introduced, redefines "farm property" for classification and assessment of property tax. - Amends TCA Title 1; Title 43 and Title 67,
1569

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, MAY 1, 2017 - THIRTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Chapter 5. by *Bell, *Yager, *Bowling. (*HB912 by *Wirgau, *Ramsey, *Brooks K, *Swann, *Eldridge, *Halford, *Holsclaw, *Carter, *McDaniel, *Whitson)

Senate Bill No. 1180 -- Abortion - As introduced, enacts the "Tennessee Infants Protection Act," which prohibits abortion of a viable fetus except in a medical emergency and requires testing to determine viability if a woman is at least 20 weeks pregnant. - Amends TCA Title 39, Chapter 15, Part 2. by *Hensley, *Gresham, *Beavers, *Bailey, *Bowling. (*HB1189 by *Hill M, *Matlock, *Byrd, *Lynn, *Terry, *Rudd, *Eldridge, *Goins, *Gant, *Smith, *Zachary, *Dunn, *Moody, *Kane, *Littleton, *Sexton C, *Brooks K)

Senate Bill No. 1287 -- Criminal Offenses - As introduced, requires court clerks to send a copy of any judgment evidencing a person's conviction for exploiting an adult who is unable to manage such adult's own resources to the department of health for inclusion in a registry. - Amends TCA Title 4; Title 33; Title 34; Title 38; Title 39; Title 45; Title 47; Title 68 and Title 71. by *Crowe, *Norris. (*HB415 by *Carr)

Senate Bill No. 1355 -- Motor Vehicles, Titling and Registration - As introduced, requires all license plates to bear the language "In God We Trust" upon the existing inventory of the registration plates in that particular plate category being utilized by the department of revenue. - Amends TCA Title 55, Chapter 4. by *Bailey, *Crowe, *Bowling. (*HB26 by *Sanderson, *Matlock, *Sexton J, *Lollar, *Gant, *Halford, *Hazlewood, *Moody, *Weaver, *Rogers, *Holsclaw, *VanHuss, *Brooks K)

MESSAGE FROM THE SENATE May 1, 2017

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 361, 363 and 365; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 89

Representatives present were Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 89

RECESS

On motion of Rep. Casada, the House stood in recess until 9:00 a.m., Wednesday, May 3, 2017.